

PROB 12C
(7/93)

Report Date: December 29, 2010

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

DEC 30 2010

Eastern District of Washington

JAMES R. LARSEN, CLERK
YAKIMA, WASHINGTON DEPUTY

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Scott Allen McIntosh

Case Number: 2:05CR06003-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Chief U.S. District Judge

Date of Original Sentence: 6/7/2005

Original Offense: Possession of a Firearm by Prohibited Person, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 57 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: James P. Hagarty

Date Supervision Commenced: 9/29/2010

Defense Attorney: Rebecca Pennell

Date Supervision Expires: 1/28/2013

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. McIntosh was instructed to report to the U.S. Probation Office on December 28, 2010. The defendant failed to comply with the instructions of the probation officer.

- 2 **Special Condition # 15:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

Supporting Evidence: Mr. McIntosh has failed to report for substance abuse treatment as instructed.

- 3 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

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Supporting Evidence: Mr. McIntosh admitted, in writing, to having used methamphetamine, marijuana, and illegal prescription opiates on multiple occasions, with the last use on or about December 21, 2010. Mr. McIntosh failed to report for urine drug testing on December 17, 2010; December 23, 2010; and December 28, 2010.

- 4 Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On December 10, 2010, Scott Allen McIntosh was cited and charged for Driving with a Suspended License, and three other traffic infractions, Walla Walla County District Court, docket no. XY0566344 and XY0566343. The next hearing is scheduled for January 10, 2011.

- 5 Mandatory Condition # 11: The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: On December 10, 2010, Scott Allen McIntosh was contacted by an Walla Walla Police officer and cited as outlined in violation number 4. Mr. McIntosh met with this officer on December 22, 2010, and failed to disclose these new charges.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: 12/29/2010

s/Curtis G. Hare

Curtis G. Hare
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

12/30/10

Date